



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/585,231	05/30/2000	Sandeep Kishan Singhal	Boc9-1999-0086/1582P	4912

7590 10/06/2003

Joseph A Sawyer  
Sawyer Law Group LLP  
P O Box 51418  
Palo Alto, CA 94303

EXAMINER
----------

NAJJAR, SALEH

ART UNIT	PAPER NUMBER
----------	--------------

2157

DATE MAILED: 10/06/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/585,231

Examiner

Saleh Najjar

Applicant(s)

SINGHAL ET AL.

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_. 6) ☐ Other: \_\_\_\_\_

Art Unit: 2157

1. This action is responsive to the application filed May 30, 2000. Claims 1-58 are presented for examination. Claims 1-58 represent method apparatus and program for increasing ease-of-use and bandwidth utilization in wireless systems.

2. The attempt to incorporate subject matter into this application by reference to copending U.S. Patent Application is improper because application reference number data is missing on page 1 of the specification.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

limitations above claims 1-2, 3-8 and therefore are rejected for similar reasons. 4.

Claims 1-2, 4-10, 12-18, 20-27, and 29-58 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim, U.S. Patent No. 6,546,002.

Kim teaches the invention as claimed including a system and method for implementing an intelligent and mobile menu-interface agent (see abstract).

As to claim 1, Kim teaches a method for increasing ease-of-use and bandwidth utilization in a wireless device capable of accessing a communication network, comprising the steps of:

- (a) receiving information about the wireless device's environment;
- (b) using the environment information to determine web sites most likely to be

Art Unit: 2157

requested; and (c) pushing identifiers of the web sites most likely to be requested to the wireless device for selection by a user (see figs. 1-12; col. 6-16, Kim discloses a mobile interface agent that retrieves URL data for use by the client based on the client profile and location).

As to claim 2, Kim teaches method of claim 1 further including the step of providing geographic location as the environment information (see col. 14, Kim discloses that URL references are retrieved based on geographic location of the client).

As to claim 4, Kim teaches the method of claim 1 further including the step of providing time and date as the environment information (see co. 10, Kim discloses that URLs are retrieved based on specified time).

As to claim 5, Kim teaches the method of claim 1 further including the step of personalizing which identifiers are pushed based on personalization information (see col. 10-14, Kim discloses that URL data are retrieved based on profile information).

As to claim 6, Kim teaches the method of claim 1 further including the step of providing URLs as the identifiers (see col. 10-14).

As to claim 7, Kim teaches the method of claim 1 further including the step of sending a location specific welcome page (LS WP) to the wireless device for display (see fig. 12; col. 10-15).

As to claim 8, Kim teaches the method of claim 1 further including the step of pushing keyword URLs to the wireless device for speech recognition matching (see col. 6-7).

Claims 9-10, 12-18, 20-27, and 29-58 do not teach or define any new

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 11, 19, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim further in view of Hancock et al., U.S. Patent No. 6,202,023.

Kim teaches the invention substantially as claimed including a system and method for implementing an intelligent and mobile menu-interface agent (see abstract).

As to claim 3, Kim teaches the method of claim 1.

Kim does fails to teach the limitation further including the step of providing local weather as the environment information.

However, Hancock teaches a Internet based geographic location referencing system and method (see abstract). Hancock teaches the step of providing local weather as the environment information (see col. 29, Hancock discloses that weather conditions are reported to the server to provide more accurate predictions on what web site data is appropriate for the device).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kim in view of Hancock so that weather is reported to the server to relate web sites for the environmental conditions where the client is available. One would be motivated to do so to provide more accurate predictions on web site data that is likely to be requested.

Claims 11, 19, and 28 do not teach or define any new limitations above claim 3 and therefore are rejected for similar reasons.

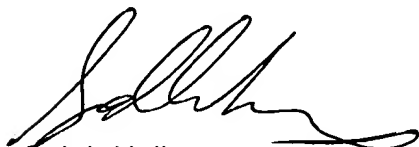
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The fax number for the After-Final correspondence/amendment is

Art Unit: 2157

(703) 746-7238. The fax number for official correspondence/amendment is (703) 746-7239. The fax number for Non-official draft correspondence/amendment is (703) 746-7240.

A handwritten signature in black ink, appearing to read 'Saleh Najjar', with a long horizontal flourish extending to the right.

Saleh Najjar

Primary Examiner / Art Unit 2157